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12 March 2008

VIA EXPRESS MAIL

Division of Dockets Management  
United States Food and Drug Administration  
5630 Fishers Lane, Room 1061  
Rockville, Maryland 20852

2006P-0165

Re: Withdrawal of Citizen's Petition No. 06P-1065

Dear Sirs:

On April 18, 2006, petitioner submitted a Citizen's Petition Under 21 C.F.R. 10.30 requesting the Commissioner to initiate administrative proceedings for the purpose of investigating and enjoining the unlawful sale and distribution by International Tan Makers, Inc. of certain ultraviolet suntanning lamps due to misbranding as defined under 21 U.S.C. §352(a).

It has been brought to petitioner's attention that (1) International Tan Makers did not create the erroneous lamp compatibility statement cited in the petition, and (2) the erroneous lamp compatibility statement has been replaced by International Tan Makers with an updated and corrected lamp compatibility statement.

In view of these facts, petitioner hereby withdraws Petition No. 06P-1065 and requests that the docket record be updated to reflect the withdrawal of the same.

Respectfully submitted,

Banner & Witcoff, Ltd.

By:

Ernest V. Linek  
Principal Shareholder

FDA-2006-P-0460

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